

**HOMELAND SECURITY AND EMERGENCY
MANAGEMENT DEPARTMENT[605]**

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 418.7, the Department of Homeland Security and Emergency Management hereby gives Notice of Intended Action to amend Chapter 14, “Flood Mitigation Program,” Iowa Administrative Code.

The proposed amendments are intended to implement 2015 Iowa Acts, House Files 616 and 655. These proposed amendments expand the definition of “governmental entity” and add the Director of the Iowa Department of Revenue or the Director’s designee as an ex officio nonvoting member of the Flood Mitigation Board.

Consideration will be given to all written suggestions or comments on the proposed amendments on or before September 22, 2015. Such written materials should be sent to the Administrative Rules Coordinator, Iowa Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324; fax (515)725-3260; or e-mail at john.benson@iowa.gov.

Also, there will be a public hearing on September 22, 2015, at 11 a.m., in the Homeland Security and Emergency Management Cyclone Conference Room, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Homeland Security and Emergency Management Department and advise of specific needs.

This Notice of Intended Action was reviewed and approved by the Iowa Flood Mitigation Board in accordance with Iowa Code chapter 418 during a scheduled meeting on July 30, 2015.

After analysis and review of this rule making, it has been determined that new jobs are likely to be created as a result of these amendments.

These amendments are intended to implement Iowa Code chapter 418 as amended by 2015 Iowa Acts, House File 616 and House File 655.

The following amendments are proposed.

ITEM 1. Amend rule **605—14.2(418)**, definition of “Governmental entity,” as follows:

“*Governmental entity*” means any of the following:

1. A county.
2. A city.
3. A joint board or other legal or administrative entity established or designated in an agreement pursuant to Iowa Code chapter 28E or 28F between any of the following:
 - Two or more cities located in whole or in part within the same county.
 - A county and one or more cities that are located in whole or in part within the county.
 - A county, one or more cities that are located in whole or in part within the county, and a drainage district formed by mutual agreement under Iowa Code section 468.142 located in whole or in part within the county.
 - One or more counties, one or more cities that are located in whole or in part within those counties, and one or more sanitary districts established under Iowa Code chapter 358 or a combined

water and sanitary district as provided for in Iowa Code sections 357.1B and 358.1B, located in whole or in part within those counties.

ITEM 2. Amend subrule 14.3(2) as follows:

14.3(2) The board shall be comprised of nine voting members and ~~four~~ five ex-officio nonvoting members.

a. The voting members shall include all of the following:

(1) Four members of the general public appointed by the governor and confirmed by the senate in accordance with Iowa Code sections 69.16 and 69.16A. These members shall be appointed to three-year staggered terms, and the terms shall commence and end as provided in Iowa Code section 69.19.

1. Two members of the general public shall have demonstrable experience or expertise in the field of natural disaster recovery.

2. Two members of the general public shall have demonstrable experience or expertise in the field of flood mitigation.

(2) The director of the department of natural resources or the director's designee.

(3) The secretary of agriculture or the secretary's designee.

(4) The director of the department or the director's designee.

(5) The treasurer of state or the treasurer's designee.

(6) The executive director of the Iowa finance authority or the executive director's designee.

b. The ex-officio nonvoting members shall include ~~four members of the general assembly with one each appointed by~~ the following:

(1) ~~The~~ A member of the general assembly appointed by the majority leader of the senate.

(2) ~~The~~ A member of the general assembly appointed by the minority leader of the senate.

(3) ~~The~~ A member of the general assembly appointed by the speaker of the house of representatives.

(4) ~~The~~ A member of the general assembly appointed by the minority leader of the house of representatives.

(5) The director of the department of revenue or the director's designee.